



Wisconsin Elections Commission

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MEMORANDUM

TO: Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Wisconsin Elections Commission
Election Administration Team

DATE: November 10, 2020

SUBJECT: Type A Notice of April 6, 2021 Spring Election and Other Important Information.

This correspondence includes information useful to you in preparing for the upcoming spring election.

Notice of Election

The Type A Notice of the Spring Election to be held on **April 6, 2021**, contains all state level and judicial offices to be elected throughout the state, including the State Superintendent of Public Instruction. *All counties notice the office of State Superintendent of Public Instruction.* Please select the other judicial offices that are up for election in your county, and add any county offices, multi-jurisdictional municipal judges and/or referenda. The Type A Notice of the 2021 Spring Election must be published by all county clerks on **November 24, 2020**. Whenever a weekly newspaper is used for publication, the notices appear in the newspaper's closest preceding issue.

Please send a copy of the Type A Notice to each municipal clerk. **Municipal clerks are required to publish a Type A notice of municipal offices on the same date, November 24, 2020.**

Note: If a Circuit Court Judge or Court of Appeals Judge resigns on or before December 1, 2020, that office will be up for election at the 2021 Spring Election. If a vacancy occurs during this period, we will contact the affected county clerks with an amended Type A Notice.

Explanation of County Executive/County Supervisor Term Expirations

The Type A Notice displays the expiration date of the terms of office for County Executive and County Supervisor as April 19, 2021. This is the day before winning candidates take office on the third Tuesday in April (April 20, 2021).

The statutes do not definitively provide when the terms for County Executive and County Supervisor officially end. They simply state when the terms begin. If, due to your county's procedures, you are more comfortable with the expiration date of the term being the same as the date the new term begins, you may use that date.

Offices to Be Elected at Spring 2021 Election

State Superintendent of Public Instruction – This office appears on the ballot in all counties.

Wisconsin Elections Commissioners

Ann S. Jacobs, chair | Marge Bostelmann | Julie M. Glancey | Dean Knudson | Robert Spindell | Mark L. Thomsen

Administrator
Meagan Wolfe

Court of Appeals, District I - This office appears on the judicial ballot in the county of Milwaukee.

Court of Appeals, District II - This office appears on the judicial ballot in the counties of Calumet, Fond du Lac, Green Lake, Kenosha, Manitowoc, Ozaukee, Racine, Sheboygan, Walworth, Washington, Waukesha, Winnebago

Court of Appeals, District III - This office appears on the judicial ballot in the counties of Ashland, Barron, Bayfield, Brown, Buffalo, Burnett, Chippewa, Door, Douglas, Dunn, Eau Claire, Florence, Forest, Iron, Kewaunee, Langlade, Lincoln, Marathon, Marinette, Menominee, Oconto, Oneida, Outagamie, Pepin, Pierce, Polk, Price, Rusk, Sawyer, Shawano, St. Croix, Taylor, Trempealeau, Vilas, Washburn

Circuit Court Judge - This office appears on the judicial ballot in the counties of Adams, Bayfield, Brown, Calumet, Chippewa, Columbia, Dane, Douglas, Dunn, Fond du Lac, Grant, Green, Jackson, Kenosha, La Crosse, Lafayette, Langlade, Marathon, Menominee-Shawano, Milwaukee, Outagamie, Ozaukee, Racine, Taylor, Walworth, Washington, Waukesha, Wood

Judicial Office Candidate Checklist

The Judicial Candidates ballot access checklist (ELIS-1) is available on the WEC website

<https://elections.wi.gov/forms/elis-1> as is the Multi-Jurisdictional Municipal Judge Candidate checklist (ELIS-18): <https://elections.wi.gov/forms/elis-18>. The checklists assist candidates in qualifying for ballot placement.

The checklists may be reproduced and given to your candidates along with the proper ballot access forms:

Campaign Finance Registration Statement (CF-1 Rev. 11/2018) https://ethics.wi.gov/Resources/CF-1_Registration_Statement.pdf

Declaration of Candidacy (EL-162 Rev. 10/2019) <https://elections.wi.gov/forms/EL-162>

We also recommend that, in your initial discussions with candidates, you direct their attention to the WEC's Common Nomination Paper Challenges Manual which can be found here:

<https://elections.wi.gov/publications/manuals/common-nomination-paper-challenges>. The Manual is a good resource for both candidates and filing officers to prevent errors on nomination papers and avoid challenges.

The Manual outlines common challenges and how the WEC is likely to rule on them.

Additional Information

State Referendum Questions – At this time, there are no state referendum questions or constitutional amendments for the April 6, 2021 Spring Election. However, the legislature has until January 26, 2021 to direct that a referendum question be placed on the ballot, so the possibility still looms. Wis. Stat. § 8.37. We will monitor the activity of the legislature and keep you informed.

NonCandidacy Notification - For the Spring 2021 Election, any incumbent officeholder who does not intend to seek re-election should file a Notification of Noncandidacy Form (EL-163) no later than 5:00 p.m. on Monday, December 28, 2020. Please note that statutory deadline for this filing is technically on a state holiday, December 25, 2020, so the deadline is moved to the next business day. The EL-163 is available from the Wisconsin Elections Commission website. <https://elections.wi.gov/forms/el-163-fillable>. If an incumbent not seeking re-election does not file the notification by the deadline, and does not file ballot access documents by the required statutory deadline to seek re-election (January 5, 2021), the filing deadline will be extended an additional 72 hours for any other person wishing to run for that office. The deadline is not extended for the incumbent. If an incumbent not seeking re-election files the notification timely, the nomination paper deadline of January 5, 2021 is unchanged. If the incumbent decides to run for office after filing the notification, he or she can run for re-election by filing the appropriate ballot access papers by the January 5th deadline.

WEC staff recommends that in early December you send this form, along with a short explanation, to all your incumbents. If you have any questions concerning this memorandum, please contact the Help Desk at 608- 261-2028 or elections@wi.gov.